REMARKS

Initially, Applicants would like to express their appreciation to the Examiner for discussing the claims in the present application with Applicants' representative, Van Ernest, by telephone on March 11, 2004. Applicants respectfully submit that the herein contained amendments and remarks are consistent with the discussion and the Examiner's recommendations.

Upon entry of the present amendment, claims 1-26 will have been amended to more clearly recite the claimed subject matter and to enhance the clarity of the claim language, while not substantially affecting or narrowing the scope of these claims. Applicants respectfully submit that all pending claims are now in condition for allowance.

In the above-referenced Official Action, the Examiner rejected claims 1-26 under 35 U.S.C. § 103(a) as being unpatentable over MCKINLEY, JR. *et al.* (U.S. Patent No. 6,665,337) in view of YUE *et al.* (U.S. Patent No. 5,764,747) in further view of WHEELER JR. *et al.* (U.S. Patent No. 5,583,920). Applicants respectfully traverses these rejections, at least for the reasons stated below.

As discussed with the Examiner on March 11, 2004, the primary reference MCKINLEY, JR. *et al.*, relied upon by the Examiner in rejecting all of the independent claims (*i.e.*, claims 1, 5, 8, 15 and 23), fundamentally differs from the present invention in that it is entirely directed to controlling *outgoing* calls from a subscriber's terminal, as opposed to controlling *incoming* calls to the subscriber's terminal. More particularly, MCKINLEY, JR. *et al.* disclose voice-activated dialers (*e.g.*, VAD 102 and VAD 106) that facilitate a service subscriber's outgoing calls, for example, pursuant to a corporate-wide voice dialer system. *See* col. 1, lines 14-24. The calling party initially establishes a connection between a calling party device 100 and the first VAD 102 by dialing a

telephone number associated with the VAD 102, which plays voice prompts to obtain the called party name or number. *See* col. 5, lines 24-38. The first VAD 102 may be networked with a second VAD 106, which determines additional information about the call and returns this information to VAD 102 for outgoing call completion. *See* col. 7, lines 24-66.

In comparison, the present invention is directed to controlling/screening calls *incoming* to the subscriber's terminal. In other words, the claimed telephony service is executed when calls are made to the service subscriber's number, not when calls are made *from* the service subscriber's number, as in MCKINLEY, JR. *et al.* The calling party is given an option to page the subscriber or to be placed in voice mail, *unless* the calling party has a personal identification number that enables the calling party to bypass the voice mail and reach the subscriber's terminal. The claimed embodiment of the present invention thus enables the subscriber to control calls to the subscriber's terminal. Accordingly, withdrawal of the rejections based on any combination including the MCKINLEY JR. *et al.* reference is respectfully requested.

Although Applicants submit that the original claims were clearly directed to controlling incoming calls, as discussed with the Examiner, Applicants have amended the body of each independent claim to further clarify that the claimed embodiment applies to *incoming calls only*. Accordingly, the amendments do not narrow or otherwise affect the scope of these claims.

Independent claim 5, in particular, is further distinguishable from MCKINLEY, JR. *et al.* because it recites interaction between a service control point (SCP) and an intelligent peripheral that collects data from the calling party. In particular, when the calling party number received by the SCP is the intelligent peripheral's number, the SCP assumes that the actual calling party has successfully

bypassed the screening (*e.g.*, by entering an acceptable personal identification number) and accordingly completes the call to the subscriber's terminal. Otherwise, the incoming call screening process is executed. This functionality is not even suggested by MCKINLEY, JR. *et al.* Accordingly, and in addition to the reasons previously set forth herein, withdrawal of the rejection of claim 5 is further requested.

The Examiner also relied on YUE *et al.*, in combination with MCKINLEY, JR. *et al.,* in rejecting independent claims 1, 5, 8, 15 and 23, asserting that YUE *et al.* teach selecting routing a call to voice mail and paging the subscriber. However, the YUE *et al.* patent differs markedly from the claims in that the calling party has no options. Rather, the decision of whether an incoming call is directed to voice mail or is permitted to page the subscriber is predetermined by the subscriber and stored for implementation. *See* col. 11, lines 13-21. Moreover, there is no motivation to combine MCKINLEY, JR. *et al.* (a voice activated, outgoing call control system) with YUE *et al.* (an incoming call hierarchial destination routing system). Accordingly, withdrawal of the rejections based on any combination including the YUE *et al.* reference is respectfully requested.

The Examiner only relied on WHEELER, JR. *et al.* to teach inputting a personal identification number to connect a call. Therefore, WHEELER, JR. *et al.* do not overcome the deficiencies of MCKINLEY, JR. *et al.* and YUE *et al.* Accordingly, no proper combination of MCKINLEY, JR., *et al.*, YUE *et al.* and WHEELER, JR. *et al.* teach or suggest the claimed embodiments of the present invention.

With regard to claims 2-4, 6-7, 9-14, 16-22 and 24-26, Applicants assert that they are allowable at least because they depend, directly or indirectly, from independent claims 1, 5, 8, 15 and

23, respectively, which Applicants submit have been shown to be allowable, in addition to reasons related to the corresponding recitations of these dependent claims.

For example, dependent claims 11, 14 and 17 recite a service management system that receives instructions from a graphical user interface via a packet switched data network. The Examiner rejected these claims "for the same reasons as discussed above with respect to claim 2." However, claim 2 does not recite a service management system, a graphical user interface or a packet switched data network.

The Examiner also asserted that WHEELER, JR. *et al.*, teach an SMS 41 connectable to an SCP 43, and an ISCP 40 including a terminal subsystem service creation environment (SCE) 42 for programming the database in the SCP 43. However, assuming the SCE 42 is a graphical user interface, it is integral to the intelligent network, apparently for use by the network provider to program the SCP 43. In contrast, the claimed embodiment of the present invention is directed to enabling the subscriber to access the service management system over a packet switched data network (*e.g.,* the Internet) in order to customize the service, for example, creating and implementing a schedule or personal identification number. To clarify this interaction, claims 11 and 14 have been amended to recite that the instructions are received from the subscriber. (Claim 17 already recited that the service management system is accessible by the subscriber via a packet switched data network.) Accordingly, claims 11, 14 and 17 are allowable for at least these additional reasons.

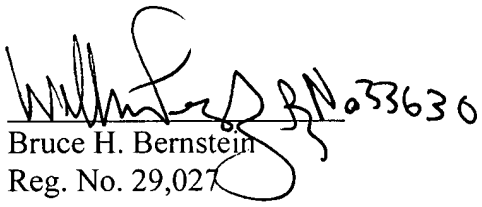
In view of the herein contained amendments and remarks, Applicants respectfully request reconsideration and withdrawal of previously asserted rejections set forth in the Official Action of January 20, 2004, together with an indication of the allowability of all pending claims, in due course.

Such action is respectfully requested and is believed to be appropriate and proper.

The amendments to the claims in this Reply have been made to clarify the claims, and have not been made to overcome rejections based upon the prior art. The amendments should therefore be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions concerning this Reply or the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,
Nancy BOOK et al.



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